



C A L I F O R N I A R I C E C O M M I S S I O N

April 23, 2009

VIA: Federal eRulemaking Portal

Office of Pesticide Programs (OPP)
Regulatory Public Docket (7502P)
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

RE: CALIFORNIA RICE COMMISSION COMMENTS ON THE DRAFT
BIOLOGICAL OPINION ISSUED UNDER THE ENDANGERED SPECIES ACT, BY
THE NATIONAL MARINE FISHERIES SERVICE, RELATED TO CARBARYL,
CARBOFURAN, AND METHOMYL, AND PACIFIC SALMON AND STEELHEAD
SPECIES. DOCKET IDENTIFICATION NUMBER EPA-HQ-OPP-2008-0654

The California Rice Commission (CRC) represents the state's 2,500 farmers and marketers who produce rice on approximately 500,000 acres of California farmland. California rice farming takes place primarily north of Sacramento in an area that provides habitat for migrating waterfowl, shorebirds and approximately 235 species of wildlife. Rice producing states include Arkansas, California, Florida, Louisiana, Mississippi, Missouri and Texas, which account for about two percent of the total value of field crops produced in the United States. In California, rice is one of the top twenty commodities, the seventh largest commodity export and contributes over half a billion dollars annually to the state's economy.

California is the only rice growing state under scrutiny of the current endangered species consultation for Pacific salmon and steelhead species. Comments in this letter are specific to carbaryl and carbofuran. Methomyl has never been a rice pesticide. In addition, carbofuran is no longer a rice pesticide. The last reportable application to California rice took place in the year 2000¹. However, Table 2, Page 47, shows registered uses and application rates for carbofuran in California, Idaho, Oregon, and Washington (EPA 2004). The table includes use rates for rice, which inaccurately implies that the product is still available for use on rice.

Carbaryl continues to be a minor use rice insecticide in California with treatable acreage rapidly declining. Less than one percent of the total acreage receives a carbaryl treatment. Product application takes place at flood-up, or planting, when rice growers hold water on the field.

¹ California Department of Pesticide Regulation, Pesticide Use Report (PUR), 2000.

The California regulatory process is unique to the state where national assessments do not accurately account for local conditions. All pesticides first registered by the EPA must receive registration by the California Department of Pesticide Regulation (DPR) before being available for sale and use in the state. In California, DPR not only registers the pesticides, but also enforces the use through the network of county agricultural commissioners in the 58 counties throughout the State.

Rice planting typically starts in mid-April and lasts through the end of May. Pesticide applications begin close to planting and are usually complete by June. Rice harvest begins in the early fall months, usually around late September. Insecticide use in California is minimal due to low pest pressure from insects.

The CRC supports the U.S. EPA in utilizing the public process, adhering to scientific soundness and maintaining the procedure in place for effective pesticide evaluation. We appreciate the opportunity to comment on the Biological Opinion for malathion, and express concerns on the level of scientific soundness. If the pesticide use assessment is not accurate, then how can the scientific evaluation be valid?

Thank you for taking into account these CRC comments. We look forward to providing additional information on future Biological Opinions. Please contact me if you require additional information, or have any questions.

Sincerely,

A handwritten signature in dark ink, reading "Roberta L. Firoved". The signature is written in a cursive, flowing style.

Roberta L. Firoved
Industry Affairs Manager